

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE TREMONT INSURANCE  
PLAINTIFFS' LITIGATION TRUST,

Plaintiff,

- against -

KPMG, LLP, KPMG (CAYMAN ISLANDS),  
KPMG INTERNATIONAL COOPERATIVE,  
BANK OF NEW YORK MELLON, SHL  
CAPITAL, LTD.,

Defendants.

10 Civ. 9274 (TPG)

**ORDER**

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The parties have indicated that this matter is related to the consolidated proceedings under docket number 08 Civ. 11117.

Upon review of the complaint, this Court finds that this case arises out of the same subject matter as the proceedings under 08 Civ. 11117.

By Order dated March 26, 2009, this Court consolidated a number of actions that asserted claims against certain Tremont entities, certain Rye entities, and other defendants, alleging losses ultimately caused by Bernard Madoff. This Court first placed these cases under the master docket, 08 Civ. 11117. The cases were then divided into three groups: (1) cases in which the primary claims are made under the federal securities laws (consolidated for pre-trial proceedings into one "Securities Action" with docket number 08 Civ. 11212), (2) cases in which the claims are

based primarily on state law, charging improper investments by partnerships or hedge funds or similar entities (consolidated for pre-trial proceedings into one "State Law Action" with docket number 08 Civ. 11183), and (3) cases in which the claims are based primarily on state law, charging improper investments by insurance companies (consolidated for pre-trial proceedings into one "Insurance Action" with docket number 09 Civ. 557).

This Order concerns the above-captioned case, which asserts claims against KPMG, LLP, and other defendants, based solely on state law. The Clerk of the Court is therefore directed to consolidate this case with the State Law Action under docket number 08 Civ. 11183, and upon doing so, to close the docket in the above-captioned case.

Any document hereinafter filed in connection with the above-captioned case must be filed under the master docket, 08 Civ. 11117. The parties are directed to read this Court's Order and Memorandum, both dated March 26, 2009, which can be found under the master docket. These documents prescribe the requirements for future submissions to this Court.

Dated: New York, New York  
February 9, 2011

SO ORDERED



Thomas P. Griesa  
U.S.D.J.